

Message Text

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PASS TO JAMES BAKER AND MARK FELDMAN

FOLLOWING IS REPEAT OECD PARIS 9083, SENT SECSTATE 28 MARCH:

QUOTE LIMITED OFFICIAL USE OECD PARIS 09083

E.O. 11652: N/A
TAGS: EINV, OECD
SUBJECT: MEETING BETWEEN AMBASSADOR TURNER AND KLAUS
SAHLGREN, EXECUTIVE DIRECTOR OF UN CENTER ON TRANS-
NATIONAL CORPORATIONS

1. AMBASSADOR MET INFORMALLY ON MARCH 25 WITH KLAUS
SAHLGREN, EXECUTIVE DIRECTOR OF THE UN CENTER ON TRANS-
NATIONAL CORPORATIONS, ON THE OCCASION OF SAHLGREN'S
TALK BEFORE THE ICC-UN GATT ECONOMIC CONSULTATIVE
COMMITTEE.

2. SAHLGREN REVIEWED THE CURRENT STATUS OF DISCUSSIONS
IN UN WITH RESPECT TO THE DRAFTING OF A CODE OF CONDUCT
FOR TNC'S. GENERALLY, THE G-77 APPROACH NOW IS FAR MORE
CONSTRUCTIVE THAN IN THE RECENT PAST, WITH LESS
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POLEMICS. SAHLGREN BELIEVES IT MAY ULTIMATELY BE
POSSIBLE TO ACHIEVE SOME TYPE OF LINKAGE, EVEN IF
INDIRECT, BETWEEN THE RESPONSIBILITIES OF TNC'S AND OF
GOVERNMENTS, AS LONG AS THE LANGUAGE USED IS NOT TOO
OFFENSIVE TO THE G-77 IN TERMS OF SOVEREIGNTY ISSUE
(ESPECIALLY TO THE LATIN AMERICAN COUNTRIES). SAHLGREN
ALSO INDICATED THAT HE EXPECTED A GOOD DEAL OF THE UN

TNC CODE TO BE COMPATIBLE WITH THE OECD GUIDELINES FOR MNE'S.

3. SAHLGREN'S VIEWS AS TO POSSIBLE IMPLEMENTATION OF THE UN TNC CODE CENTERED ON THE CREATION OF A "PANEL SYSTEM" (A LA GATT), WHERE A PANEL OF INDEPENDENT EXPERTS WOULD ISSUE "MORAL FINDINGS" ON OFFENDING TNC'S BROUGHT BEFORE SUCH A PANEL. WHILE THESE FINDINGS WOULD NOT BE LEGALLY BINDING, SPECIFIC SANCTIONS COULD INCLUDE A "BLACKLIST" OF OFFENDING TNC'S, THUS PUBLICLY IDENTIFYING AND CHASTISING NAMED COMPANIES.

4. SAHLGREN SAID HE EXPECTED INTENSIVE DISCUSSIONS OF SUBSTANTIVE ISSUES AT THE NEXT MEETING OF THE INTER-GOVERNMENTAL WORKING GROUP COMMENCING APRIL 18, AND A REQUEST FROM THAT GROUP AT THE CONCLUSION OF DISCUSSIONS TO UN SECRETARIAT TO DRAFT AN ANNOTATED OUTLINE OF PROPOSED CODE. SAHLGREN NOTED THAT IT WAS UNFORTUNATE THAT KEY PERSONNEL ON U.S. DELEGATION HAD CHANGED SO OFTEN, AND HE HOPED FOR INCREASED CONTINUITY OF REPRESENTATIVES IN THE FUTURE.

5. WHILE HE IS NOT PARTICULARLY SANGUINE ABOUT THE ULTIMATE RESULTS OF THE UN TNC EXERCISE, SAHLGREN EXPRESSED HOPE THAT THE PROCESS ITSELF WILL HELP TO "DEMYSTIFY" TNC'S.

6. COPY OF SAHLGREN'S SPEECH HERE WILL BE GIVEN TO RICHARD J. SMITH (EB/IFD/OIA), IN PARIS FOR CIME LIMITED OFFICIAL USE

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MEETING MARCH 31 - APRIL 1, FOR INTERESTED PARTIES.
TURNER UNQUOTE. VANCE

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Message Attributes

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